

**EXHIBIT A**

Commonwealth of Pennsylvania

APPLICATION FOR  
SEARCH WARRANT  
AND AUTHORIZATION

COUNTY OF CUMBERLAND

Docket Number  
(Issuing Authority): MD-9-13Police Incident  
Number: CID-2013-02-00019Warrant Control  
Number: CID-2013-02-00019-AChief County Detective  
Les FREEHLING

Criminal Investigation Division

717-240-7794

02-07-2013

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Documents, records, images, videos and other electronically stored data disclosing, describing, referring, reflecting or depicting child pornography, sexual abuse of children or sexually related conversations with minors.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

HP Laptop - Serial Number ~~CNF9054XG0~~ currently stored at the Cumberland County Computer Forensics Laboratory, 37 East High Street, Carlisle, PA 17013 SN: ~~CORRECTION CNF9054XG0~~ LFPMF  
2713

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Robert Joel RICE / Marilyn Barbara RICE-GOLDIE

VIOLATION OF (Describe conduct or specify statute):

18 Pa.C.S. § 6312 - Sexual Abuse of Children

DATE(S) OF VIOLATION:

02 - 03 - 2013

☒ Warrant Application Approved by District Attorney - DA File No. CMC-13-10  
(If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)☐ Additional Pages Attached (Other than Affidavit of Probable Cause)☒ Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: 4

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Cumberland County District Attorney's Office  
Criminal Investigations Division

49-01

Signature of Affiant

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 7 day of Feb, 2013, Mag. Dist. No. 09 2 01

2260 #3 Spring Rd Carlisle Pa 17013

(SEAL)

Signature of Issuing Authority

Office Address

SEARCH WARRANT  
TO LAW ENFORCEMENT  
OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

☒ This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:\*☐ This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: \*\*

4:10 P M, o'clock Feb 9, 2013

\* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

\*\* If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 7 day of Feb, 2013 at 4:10 P M, o'clock.

09 2 01

11 2018 (SEAL)

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority: ☒ Magisterial District Judge ☐ Common Pleas Judge ☐☐ For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for \_\_\_\_\_ days by my certification and signature. (Pa.R.Crim.P. 211)

(Date) (SEAL)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania

AFFIDAVIT OF  
PROBABLE CAUSE

COUNTY OF CUMBERLAND

Docket Number

Police Incident

Warrant Control

(Issuing Authority)

Number: CID-2013-02-00019

Number: SW - 2013-02-00019-A

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

## AFFIDAVIT OF PROBABLE CAUSE

I, Chief County Detective Les Freehling, have been a sworn law enforcement officer for forty-four (44) years. I am currently assigned as Chief County Detective for the Criminal Investigative Division of the Cumberland County District Attorney's Office. I have been employed by the Cumberland County District Attorney's Office since April of 1998. From March of 1968 until April of 1998 I was employed by the Pennsylvania State Police. In addition to my administrative duties I am also assigned to investigate criminal investigation cases, to include, but not limited to, Internet Child Pornography investigations. I am currently assigned to the Internet Crimes Against Children Task Force for Pennsylvania, managed through the Delaware County District Attorney's Office. Included in my current assignment, I conduct investigations and/or undercover investigations into crimes where computers are used to facilitate crimes. Further, I have been involved with investigations requiring the interdiction of individuals and groups engaged in criminal activity and have utilized confidential informants to ascertain the techniques and methods of operation employed in the furtherance of these criminal activities. I have conducted and participated in criminal investigations involving court-authorized wiretaps, search warrants and arrest warrants. Additionally, I have testified in various prosecutions within the Commonwealth of Pennsylvania resulting in convictions of defendants for violations of the Pennsylvania Consolidated Statutes (Title 18). I have also testified in prosecutions within the jurisdiction of other States and the Federal Government resulting in convictions of defendants for violations of the applicable statutes. I am also familiar with the techniques and methods of operation utilized by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. I have participated in investigations into the activities of individuals and groups involved in criminal enterprises including homicide, narcotics trafficking and distribution, conspiracy, theft, and money laundering, and other crimes in which computers were utilized. While a member of the Pennsylvania State Police I received in excess of four-hundred (400) hours of training related to Criminal Investigation Analysis, which included multiple hours of Child Pornography, Pedophilia, sexual assault and homicide. I have also completed training offered by the Pennsylvania Municipal Police Officers Education & Training Commission on "CyberCrimes", and have been involved in numerous investigations where computers and the Internet were used to commit crimes. I have completed the Internet Crimes Against Children P2P training program. Throughout my career, I have investigated and prosecuted numerous cases involving Child Pornography and Pedophilia.

FACTS TENDING TO ESTABLISH THE GROUNDS FOR THIS SEARCH WARRANT AND THE  
PROBABLE CAUSE ARE AS FOLLOWS:

On February 7, 2013 at approximately 9:43 A.M. Marilyn RICE went to the Silver Spring Township Police Department and reported that her (Marilyn RICE) husband had Child Pornography on his (Robert RICE) computer.

Marilyn RICE advised Officer Tracy MILLER of the Silver Spring Township Police Department that she (Marilyn RICE) had viewed pictures of three (3) or four (4) females performing oral sex, in addition to other photographs depicting Child Pornography.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

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Commonwealth of Pennsylvania

AFFIDAVIT OF  
PROBABLE CAUSE

COUNTY OF CUMBERLAND

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PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

FACTS TENDING TO ESTABLISH THE GROUNDS FOR THIS SEARCH WARRANT AND THE  
PROBABLE CAUSE ARE AS FOLLOWS (CONTINUED):

On February 7, 2013 at approximately 10:54 A.M., Marilyn RICE was again interviewed by this AFFIANT and Detective Richard KEEFER of the Cumberland County Criminal Investigation Division. Marilyn RICE reiterated what previously had related to Officer MILLER, and in addition related to this AFFIANT and Detective KEEFER there is a picture of a "four (4) year old female with her legs spread" and a penis between the aforementioned child's legs.

Additionally, Marilyn RICE advised Officer MILLER, this AFFIANT, and Detective KEEFER that there were chat room / internet conversations between her (Marilyn RICE) husband and other individuals relating to the exchanging of pornographic photographs of children. Marilyn RICE advised that at least one (1) of the conversations related to not using "YAHOO", but to use some other means of communication.

Marilyn RICE advised Detective KEEFER that she (Marilyn RICE) has viewed the aforementioned photographs / conversations as recently as Sunday, February 3, 2013.

It should be noted that the laptop computer in question had been turned over to the Silver Spring Township Police Department by Marilyn RICE on February 7, 2013, and advised that the computer in question was a computer shared by her (Marilyn RICE) and her husband Robert RICE. As this investigation was referred to this AFFIANT, said computer was also turned over to this AFFIANT.

Based upon my knowledge, training and experience it is known that child sexual offenders generally prefer to store images of child pornography in electronic form such as computer files. The computer's ability to store images in digital form makes a computer an ideal repository for pornography. A small portable disk can contain hundreds or thousands of images of child pornography, and a computer hard drive can contain tens of thousands of such images at very high resolution. The images can be easily sent to or received from other computer users over the Internet through e-mail or chat rooms. Further, both individual files of child pornography and the disks that contain the files can be mislabeled or hidden to evade detection.

Additionally, based upon my knowledge, training and experience, I know that searching and seizing information from computers often requires investigators to seize most or all electronic storage devices (along with related peripherals) to be searched later by a qualified computer expert in a laboratory or other controlled environment.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

(SEAL)

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Commonwealth of Pennsylvania

AFFIDAVIT OF  
PROBABLE CAUSE

COUNTY OF CUMBERLAND

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PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

FACTS TENDING TO ESTABLISH THE GROUNDS FOR THIS SEARCH WARRANT AND THE  
PROBABLE CAUSE ARE AS FOLLOWS (CONTINUED):

Finally, based upon my knowledge, training and experience, I know that pornographic images either on computer or in hard form are traded from one person to the other either through personal contact or over the Internet. Those in hard form are often kept in albums and categorized for trading purposes or for later sexual gratification. Those images in electronic form are usually kept on internal or external storage devices such as; hard drives, floppy discs, compact discs (CD's) or other portable storage units. Some individuals will also print images received in electronic form to hard copy for easy viewing or trade with others. Through my training and experience I know that those individuals who engage in child pornography rarely delete or get rid of photographs or images they acquire. These images are frequently used by an individual for sexual gratification, or to re-live special events in their life.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

2 7 13 (SEAL)